Regulatory Analysis

Notice of Intended Action to be published: 489—Chapter 1
"Functions and Provisions of the Child Advocacy Board"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 17A.3, 237.15, and 237.16

State or federal law(s) implemented by the rulemaking: Executive Order 10 and Iowa Code sections 17A.3, 237.15, and 237.16

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

March 24, 2026 10 a.m.	Microsoft Teams Meeting ID: 287 677 567 218 98 Passcode: Ny3YJ3ES

Public Comment

Any interested person may submit written or oral comments concerning this Regulatory Analysis, which must be received by the Department of Health and Human Services no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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Purpose and Summary

This proposed chapter was reviewed as part of the Red Tape Review process laid out in Executive Order 10. As a result of this review, restrictive terms were removed, areas that were duplicative were combined or eliminated, and editorial updates were made to processes and procedures to ensure they reflect current policies and procedures. The Child Advocacy Board (State Board) is charged with the responsibility of establishing procedures and protocols for the review of cases of children in foster care, establishing a training program for members of the State Board, establishing procedures and protocols for administering the Court Appointed Special Advocate Program, and annually reporting findings and making recommendations to the Governor, the General Assembly, the Department, child-placing agencies, and the State Court Administrator for dissemination to the Supreme Court and the chief judge of each judicial district.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

This proposed rulemaking does not have a cost to the public.

- **Classes of persons that will benefit from the proposed rulemaking:**

This proposed rulemaking will benefit all children in foster care in Iowa.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

This proposed rulemaking will benefit current and future children in foster care in Iowa. In SFY 2025, local boards reviewed and reported to the State Board on 795 reviews, held for 531 cases involving 839 different children.

- **Qualitative description of impact:**

This proposed rulemaking will benefit current and future children in foster care in Iowa.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

The Department incurs personnel and other administrative costs associated with the implementation of this proposed chapter.

- **Anticipated effect on State revenues:**

This proposed rulemaking is not expected to have any impact on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

The establishment of the State Board is required by Iowa Code sections 17A.3, 237.15, and 237.16.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

Not applicable.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

Not applicable.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking is not expected to have any impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 489—Chapter 1 and adopt the following **new** chapter in lieu thereof:

CHAPTER 1
FUNCTIONS AND PROVISIONS OF THE CHILD ADVOCACY BOARD

489—1.1(237) Definitions. The following definitions apply to the rules of the child advocacy board:

"Approved" means that the applicant has met the requirements to become a court appointed special advocate.

"CASA volunteer" or *"CASA"* or *"advocate"* means a person who is duly trained and approved by the department of health and human services for participation in the court appointed special advocate program and appointed by the court to represent the interest of a child in any judicial proceeding to which the child is a party or is called as a witness or relating to any dispositional order involving the child resulting from the proceeding. Unless otherwise directed by a court, the duties of a court appointed special advocate with respect to a child are pursuant to Iowa Code section 237.24.

"Case permanency plan" means the same as defined in Iowa Code section 232.2(6).

"Coach" or *"CASA coach"* means a duly approved court appointed special advocate volunteer who has received additional training to assist the coordinator by overseeing facets of the court appointed special advocate's case work.

"Court appointed special advocate" means the same as defined in Iowa Code section 232.2(12).

"Family" means the same as defined in Iowa Code section 237.15(4).

"Fictive kin" means the same as defined in Iowa Code section 232.2(24).

"Person or court responsible for the child" means the department, including but not limited to the department, agency, or individual who is the guardian of a child by court order issued by the juvenile or district court and has the responsibility of the care of the child, or the court having jurisdiction over the child.

"State board" means the child advocacy board created pursuant to Iowa Code section 237.16.

This rule is intended to implement Iowa Code sections 17A.3, 237.15, and 237.16.

489—1.2(237) Membership and term.

1.2(1) The state board is created within the department. Membership and terms of appointment are detailed in Iowa Code section 237.16(1).

1.2(2) The state board shall meet as necessary, as set forth in Iowa Code section 237.16(2).

a. A quorum shall consist of a majority of the members. When a quorum is present, a position is carried by an affirmative vote of a majority of the members present.

b. Minutes of state board meetings are available on the department's website.

c. Notice of each meeting shall be given pursuant to Iowa Code chapter 21.

d. When the chairperson of the state board determines that a special or electronic meeting is required, the meeting shall be held in accordance with Iowa Code section 21.4 or 21.8.

e. Persons wishing to appear before the state board shall submit the request to the state board office not less than ten days prior to the meeting. Presentations may be made at the discretion of the chairperson and only upon matters appearing on the agenda. Persons wishing to submit written material should do so at least ten days in advance of the scheduled meeting to ensure that state board members have adequate time to receive and evaluate the material.

This rule is intended to implement Iowa Code sections 17A.3, 237.16, and 237.18.

489—1.3(237) Leadership.

1.3(1) The director ensures adequate leadership, oversight of programs, and ongoing administration of the state board's activities and of the court appointed special advocate program. The director employs, discharges, trains, and supervises foster care review and court appointed special advocate program employees.

1.3(2) The department will:

a. Administer funds necessary for operations of foster care reviews and the court appointed special advocate program.

b. Develop and implement policies and procedures needed to implement requirements of federal law and regulations and state law and administrative rules.

c. Develop and recommend administrative rules for promulgation by the state board as needed to govern the operation of the state board, foster care reviews, and the court appointed special advocate program.

d. Ensure training is provided for state board members, court appointed special advocates and coaches, and any other volunteers supporting the state board's programs.

e. Ensure that relationships are developed and maintained with judges, juvenile court referees, local departments, juvenile court services, and advocacy groups.

f. Coordinate efforts to ensure community awareness of the state board and the court appointed special advocate program.

g. Work closely with allied agencies and associations to ensure that efforts relating to the state board and the court appointed special advocate program are coordinated and consistent.

This rule is intended to implement Iowa Code sections 17A.3 and 237.18(5).

489—1.4(237) Foster care registry.

1.4(1) *Placement.* The state board shall establish a registry of the placements of all children receiving foster care as set forth in Iowa Code section 237.17.

This subrule is intended to implement Iowa Code sections 17A.3 and 237.17.

1.4(2) *Confidentiality of records.* The state board, court appointed special advocates and coaches, and child advocacy employees shall adhere to the confidentiality requirements established in Iowa Code section 237.21.

This subrule is intended to implement Iowa Code sections 17A.3 and 237.21.

489—1.5(237) Foster care review. The state board is required by Iowa Code section 237.18 to establish procedures and protocols for completing reviews of the cases of children in foster care, including a recordkeeping system and training requirements for individuals completing reviews.

1.5(1) *Establishing procedures and protocols.*

a. The state board is responsible for approval of policy and procedures consistent with the Iowa Code.

b. The department establishes and submits to the state board for approval policy and procedures that provide detailed guidance to individuals reviewing the cases of children in foster care on application of these rules and the statutes that govern foster care reviews.

c. Individuals reviewing the cases of children in foster care under the oversight of the state board are required to comply with the protocols and procedures approved by the state board.

d. Implementation of policy and procedures is the responsibility of the department.

This subrule is intended to implement Iowa Code sections 17A.3 and 237.19.

1.5(2) *Findings and recommendations.* The department will submit the findings and recommendations of foster care reviews to the state board. The report to the state board will include information regarding the permanency plan and the progress in attaining the permanency goals.

This subrule is intended to implement Iowa Code section 237.19.

489—1.6(237) Children eligible for review. To be eligible for review, the child shall have received services from the department during the period under review.

This rule is intended to implement Iowa Code sections 17A.3 and 237.18.

489—1.7(237) Court appointed special advocate program. The state board is required by Iowa Code section 237.18 to establish procedures and protocols for administering the court appointed special advocate program.

This rule is intended to implement Iowa Code section 237.18.

489—1.8(237) Program requirements.

1.8(1) *Establishing additional procedures and protocols.*

a. The state board is responsible for approval of procedures and protocols consistent with the Iowa Code.

b. The department establishes and submits to the state board for approval a program policy and procedures manual that provides detailed guidance to department staff and volunteers on application of these rules and the statutes that govern the operation of the court appointed special advocate program.

c. Department staff and volunteers are required to comply with the protocols and procedures approved by the state board and the provisions of the policy and procedures manual established by the department and approved by the state board.

d. Implementation of program policy is the responsibility of the department.

e. The department is responsible for recruiting, screening, selecting, training, and supervising court appointed special advocates.

f. The CASA selection is made in a manner that provides the best match available between the knowledge, skills, abilities, and availability of the advocate and the needs of the child. The assignments shall be made in a manner that avoids conflicts of interest, risk to the child's or advocate's safety, or jeopardy to the program's integrity.

g. Upon selection of the CASA who will serve on an individual case, the court and all interested parties are notified of the selection.

h. The selected CASA continues to serve on the case until the assignment is terminated by the court.

1.8(2) Reserved.

This rule is intended to implement Iowa Code section 237.18.

489—1.9(237) Adherence to national guidelines. The National Court Appointed Special Advocate/Guardian ad Litem Association for Children has established a national quality assurance system for CASA programs. The primary goal of the system is to strengthen CASA organizations and support their efforts to provide high-quality child advocacy and achieve the maximum level of excellence. CASA of Iowa shall continue to maintain compliance with the standards and, within the limits of available funding, shall deploy resources to maintain compliance in the future.

1.9(1) *CASA advocate qualifications.* Potential coaches and advocates shall meet the qualifications defined by the National CASA Association for Children Standards as amended to August 1, 2026.

1.9(2) *Application requirements for CASA volunteers.* All CASA volunteer applicants shall complete the requirements defined in the National CASA Association for Children Standards as amended to August 1, 2026.

This rule is intended to implement Iowa Code sections 17A.3 and 237.18.

489—1.10(237) Training. All court appointed special advocates, volunteers, and staff shall complete pre-service and continuing education requirements as defined in the National CASA Association for Children Standards as amended to August 1, 2026.

This rule is intended to implement Iowa Code sections 17A.3 and 237.18.

489—1.11(237) Children eligible for assignment of a court appointed special advocate. CASA of Iowa serves any child for whom the court appoints a court appointed special advocate as long as the resources to do so are available.

This rule is intended to implement Iowa Code sections 17A.3 and 237.18.